




## Interoffice Memorandum

July 23, 2019

To: Mayor Jerry L. Demings  
and the Board of County Commissioners

From:  Carrie Mathes, Manager, Procurement Division

Contact: Jeffrey Newton, County Attorney  
407-836-7320

Subject: Selection of Firm, Request for Proposals Y19-1151-AH, Engagement of Counsel for Opioid Epidemic Litigation

### RECOMMENDATION:

Selection of one firm and an alternate to provide Engagement of Counsel for Opioid Epidemic Litigation, Request for Proposals, Y19-1151-AH, from the following firms listed alphabetically:

- Napoli Shkolnik PLLC
- Romano Law Group, P.A.

Request authorization for the Procurement Division to negotiate and execute a contingent fee contract with limited reimbursable expenses based on recovery. Further request authorization for this contract to remain in effect until all opioid epidemic litigation is completed.

The proposals were evaluated by the Procurement Committee on July 23, 2019. Commissioner Victoria P. Siplin was assigned to the Procurement Committee.

### PURPOSE:

The firm shall provide counsel engaged to represent the County in pursuing litigation for damages incurred by the County as a result of the opioid epidemic. Counsel shall investigate any potential claims and damages recoverable by the County, including filing lawsuits, related appeals or counterclaims, and litigating to conclusion.

### DISCUSSION:

Orange County, like so many other counties in the State of Florida and nationally, is suffering from the opioid crisis. Many individuals in Orange County have died from opioid overdoses and many others suffer from opioid use disorders and related health conditions. All areas of the County have been affected, from babies born addicted to opioids, to children placed in foster care after losing parents to overdoses, to chronic addiction, to lost job productivity, to unemployment, and/or to increased spending on emergency medical services.

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Additionally, there are medical costs, unemployment costs, drug treatment costs, emergency personnel costs, law enforcement costs, Naloxone, also known as Narcan costs (medication used to block the effects of opioids in overdose cases), medical examiner costs, foster care expenses, lost productivity costs, and lost tax revenues.

The County is desirous of pursuing claims for the restitution and/or recovery of the damages and costs incurred by Orange County as a result of the opioid crisis. In pursuit of those claims, specialized private attorney services with expertise in complex lawsuits, multi-district litigation, and/or pharmaceutical matters is required given the time and labor involved, the novelty, complexity and difficulty of the questions involved, and the number of defendants involved.

Three proposals were received in response to this Request for Proposals (RFP). The Procurement Committee evaluated the proposals in accordance with the criteria set forth in the RFP. Levy & Levy, LLC scored too low for Board consideration. Consensus scores of the Procurement Committee are attached.

**RFP #Y19-1151-AH**  
**Engagement of Counsel for Opioid Epidemic Litigation**


	QUALIFICATION OF STAFF		QUALIFICATION OF FIRM		TECHNICAL APPROACH		FEE PROPOSAL		M/WBE UTILIZATION	BONUS POINTS			TOTAL
	RAW SCORE	WEIGHTED SCORE	RAW SCORE	WEIGHTED SCORE	RAW SCORE	WEIGHTED SCORE	RAW SCORE	WEIGHTED SCORE	WEIGHTED SCORE	DISPL. WORKER	SDV PRIME	SDV SUBS	
<b>WEIGHT:</b>	<b>20</b>		<b>25</b>		<b>20</b>		<b>25</b>		<b>10</b>	<b>5</b>	<b>5</b>	<b>10</b>	
POINT STRUCTURE: 1= Poor      4= Above Avg. 2= Below Avg. 5= Excellent 3= Average													
<b>FIRM NAME:</b>													
Romano Law Group, P.A.	4.00	80.00	4.00	100.00	4.00	80.00	4.00	100.00	0.00	0.00	0.00	0.00	<b>360.00</b>
Napoli Shkolnik PLLC	5.00	100.00	4.00	100.00	4.00	80.00	3.00	75.00	0.00	0.00	0.00	0.00	<b>355.00</b>



**INTEROFFICE MEMORANDUM**

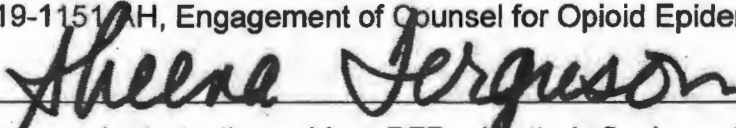
June 12, 2019

TO: Alina Hernandez Fernandez, Senior Contract Administrator  
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator   
Business Development Division

SUBJECT: Business Development Division M/WBE Proposal Evaluation

PROJECT: Y19-1151AH, Engagement of Counsel for Opioid Epidemic Litigation

APPROVED:  \_\_\_\_\_

Below are the respondents to the subject RFP with their firm's certified Minority/Women Business Enterprise (M/WBE) sub-consultants, Minority Business Enterprise Workforce and Women Business Enterprise goals:

- 1. Levy & Levy, LLC  
MAJORITY PRIME

M/WBE Sub-consultant(s)	M/WBE Classification	Projected %	Sub-consultants Role
None			

Total M/WBE Participation Proposed: 0 %  
**M/WBE Sub consultant participation Weighted Score: 0**

Total M/WBE Workforce: 16%  
 Total WBE Workforce: 05%  
**Minority Workforce and Women Workforce Weighted Score: 0**

**Total M/WBE Participation Weighted Score: 0**

Registered Service-Disabled Veteran(s) (SDV) Sub-consultant	Points	SDV Sub-consultant Role
None		

Registered SDV(s) Proposed: 0

**SDV Bonus Points: 0**

Displaced Worker(s) Proposed: 0

**Displaced Worker(s) Bonus Points: 0**

**Total Bonus Points: 0**

*(Includes SDV & Displaced workers)*

2. Romano Law Group, P. A.  
MAJORITY PRIME

M/WBE Sub-consultant(s)	M/WBE Classification	Projected %	Sub-consultants Role
None			

Total M/WBE Participation Proposed: 0 %  
M/WBE Sub consultant participation Weighted Score: 0

Total M/WBE Workforce: 0%  
Total WBE Workforce: 0%  
Minority Workforce and Women Workforce Weighted Score: 0

**Total M/WBE Participation Weighted Score: 0**

Registered Service-Disabled Veteran(s) (SDV) Sub-consultant	Points	SDV Sub-consultant Role
None		

Registered SDV(s) Proposed: 0

**SDV Bonus Points: 0**

Displaced Worker(s) Proposed: 0

**Displaced Worker(s) Bonus Points: 0**

**Total Bonus Points: 0**

*(Includes SDV & Displaced workers)*

3. Napoli Shkolnik PLLC  
MAJORITY PRIME

M/WBE Sub-consultant(s)	M/WBE Classification	Projected %	Sub-consultants Role
None			

Total M/WBE Participation Proposed: 0 %  
M/WBE Sub consultant participation Weighted Score: 0

Total M/WBE Workforce: 0%  
Total WBE Workforce: 0%  
Minority Workforce and Women Workforce Weighted Score: 0

**Total M/WBE Participation Weighted Score: 0**

<b>Registered Service-Disabled Veteran(s) (SDV) Sub-consultant</b>	<b>Points</b>	<b>SDV Sub-consultant Role</b>
None		

Registered SDV(s) Proposed: 0

**SDV Bonus Points: 0**

Displaced Worker(s) Proposed: 0

**Displaced Worker(s) Bonus Points: 0**

**Total Bonus Points: 0**

*(Includes SDV & Displaced workers)*